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Washington

1-12-2009

**Objection of Battle Ground School District to CR 45 Subpoena
07-2-02323-2-75**

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KING COUNTY
SUPERIOR COURT CLERK
E-FILED
CASE NUMBER: 07-2-02323-2 SEA

SUPERIOR COURT OF WASHINGTON IN AND FOR KING COUNTY

MATHEW & STEPHANIE McCLEARY, et
al.,

Petitioners,

v.

STATE OF WASHINGTON,

Respondent.

No. 07 2 02323 2 SEA

OBJECTION OF BATTLE GROUND
SCHOOL DISTRICT TO CR 45
SUBPOENA

Hon. Paris K. Kallas (until 1/11/09)
Hon. John Erlick (effective 1/12/09)

Comes now William A. Coats of Vandenberg Johnson & Gandara, LLP, on behalf of
Battle Ground School District, and files the following objections to the subpoena issued by the
respondent dated December 19, 2008, for the following reasons:

1. Battle Ground School District joins in the objections filed by the petitioners in the
above-referenced case dated January 9, 2009.

2. The subpoena does not allow a reasonable period of time for compliance with the
subpoena. The subpoena purports to have been served on December 19, 2008. School was
closed because of the weather conditions on that date and then the District was on winter break.
The subpoena was not actually forwarded to the District's legal counsel until on or about January
5, 2009. The documents requested are extremely voluminous and it will take a substantial period
of time to comply with the subpoena.

OBJECTION OF BATTLE GROUND SCHOOL
DISTRICT TO CR 45 SUBPOENA - 1

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3. The subpoena is vague. It is difficult to determine what documents are required. Many of the documents seemingly requested are routinely filed with the State and should be available to the respondent.

4. The subpoena is overly broad and burdensome. It would take a substantial amount of District time and effort to produce the documents requested in the subpoena and there would be significant cost to the District which should be paid by the respondent.

For the reasons set forth herein and by the petitioners, Battle Ground School District objects to the subpoena.

DATED this 12th day of January, 2009.

VANDEBERG JOHNSON & GANDARA, LLP

By William A. Coats
William A. Coats, WSBA # 4608
Attorneys for Battle Ground School District

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Case Number: 07-2-02323-2  
Case Title: MCCLEARY ET AL VS WASHINGTON STATE OF  
Document Title: OTHER RE OBJECTION OF BATTLE GROUND SCHOOL DISTRICT TO CR 45  
SUBPOENA  
User's Name: William Coats  
Filed Date: 1/12/2009 3:04:37 PM

User Signed

Signed By: William Coats  
WSBA #: 4608  
Date: 1/12/2009 3:01:12 PM